

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

Jingdong Zhu, et al.

v.

Schering Plough Corporation, et al.

Civ. Action No. 03-1204(KSH)

ORDER

Katharine S. Hayden, U.S.D.J.

This matter comes before the Court upon the Report and Recommendation of Magistrate Judge Falk, filed on January 31, 2008 (D.E 106). The Court received objections to his report from defendant Schering-Plough Corporation and has reviewed his recommendations de novo. For the reasons expressed in the opinion filed herewith and for good cause appearing;

IT IS on this 30th day of September 2008,

ORDERED that the Report and Recommendation of Magistrate Judge Falk is adopted and incorporated as the Opinion of this Court (D.E. 106); and it is further

ORDERED plaintiff's motion for class certification be GRANTED as to Counts One, Two, and Four, and DENIED as to Count Three; and it is further

ORDERED the following class be certified for Counts One, Two, and Four of plaintiff's complaint: All persons who were participants in or beneficiaries of the Schering-Plough Corporation Employees' Savings Plan at any time between July 29, 1998 to the present and whose accounts included investments in Schering stock; and it is further

ORDERED plaintiff Michele Wendel be appointed class representative; and it is further

ORDERED the law firms of Schiffrin & Barroway, LLP and Hangley Aronchick Segal & Pudlin be appointed class counsel; and it is further

ORDERED the law firm of Lite DePalma Greenberg & Rivas, LLC be appointed class liaison counsel.

/s/ Katharine S. Hayden

Katharine S. Hayden, U.S.D.J.